

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

EON CORP. IP HOLDINGS, LLC,)
Plaintiff,)
v.) C.A. No. 10-812 (RGA)
FLO TV INCORPORATED, et al.,)
Defendants.)

**STIPULATION AND [PROPOSED] ORDER
REGARDING SUMMARY JUDGMENT AND DAUBERT BRIEFING**

WHEREAS there are nine remaining defendants in this action, who offer diverse products and services;

WHEREAS the original Scheduling Order entered in this case (D.I. 152) does not contain any parameters on the number or length of summary judgment or *Daubert* motions to be filed;

WHEREAS the parties have met and conferred to propose reasonable briefing limits to reduce the burden on the Court while recognizing the unique interests of the various parties in advance of the November 1, 2013 deadline for filing such motions;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel and subject to the approval of the Court, that the following parameters shall govern the parties' respective summary judgment and *Daubert* briefs in this matter:

Plaintiff shall file no more than:

1. One opening brief on validity, not to exceed 30 pages.
2. One additional opening summary judgment brief, not to exceed 20 pages.
3. Two *Daubert* briefs, not to exceed 20 pages each.

Defendants shall file no more than:

1. One non-infringement brief on issues common to all Defendants, not to exceed 30 pages.
2. Each defendant may file an additional non-infringement brief on individual issues, not to exceed 7 pages.
3. One common invalidity brief, not to exceed 20 pages.
4. One common *Daubert* brief, not to exceed 20 pages.

The parties further agree that the page limits for an answering brief shall be equal to that of the respective opening brief. The page limits for a reply brief shall be one-half the length of the respective opening brief, with up to 4 pages for each of the individual non-infringement reply briefs.

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October 30, 2013

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SO ORDERED on this _____ day of _____, 2013.

U.S.D.J.